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U.S. Application No. 10/578,851 -- 5

**REMARKS**

Claims 11 – 20 remain in this application. Claim 11 has been amended. Reconsideration of this application in view of the amendments noted is respectfully requested.

Claim 11 has been amended to include the limitations that the separator is arranged vertically inside the cell, which is at least supported by the drawings (for example, see FIG. 1, separator 15) and is implied by paragraph [0021] of the application publication (grease condensing on the separator flows down by gravity). Claim 1 has also been amended to include the limitation that the grease cup (formerly recited as “grease collecting means”) is arranged beneath the separator. Support for this limitation can be found in paragraph [0022] of the application publication and FIG 1 (grease cup 16).

In the Office Action, claims 11 – 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Molitor (U.S. Patent No. 4,407,266) in view of Hepner (U.S. Patent No. 4,235,220). Applicant respectfully traverses this rejection.

With respect to independent claim 11, applicant maintains all of its previous arguments with respect to the patentability of the claims over any possible combination of Molitor and Hepner. Molitor fails to disclose or fairly suggest a cell separate from the hood, an intake-air connection separate from the hood, and cooling of a separator. And Hepner fails to remedy these deficiencies.

Further, all of the embodiments of the present invention include a grease cup beneath the separator. Thus, the separated grease can be removed from the cell by removing the grease cup or by drainage from the grease cup (see FIGS. 1 and 4 as well as paragraph [0022] of the application publication). In any event, in all the embodiments of the present invention, grease is separated from the air by a separator, and the separated grease is collected and removed from the cell in a controlled manner. The grease flows down from the vertical separator into the grease cup 16.

Turning to the cited references, Molitor discloses a horizontal mist eliminator while Hepner discloses a vertical filter. However, applicant maintains that Hepner fails to disclose any type of separator. Rather, Hepner only discloses a filter which absorbs (collects) grease

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into itself. Furthermore, even if a mechanical separator were to be installed into the cell of Hepner, the combination would not work. The grease would uncontrollably accumulate inside the cell of Hepner. In this regard, Hepner fails to disclose any means for collecting separated grease, primarily because Hepner uses the above mentioned filter, which can be changed periodically. In practice, if there were a separator in the device of Hepner, grease would, in the worst case, flow down through the caps between the cell and the door. If the door were sealed, then the grease would uncontrollably flow down when the door is opened.

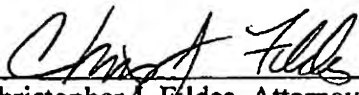
For these reasons, no possible combination of Molitor with Hepner results in the presently claimed invention as recited in claim 11. Claims 12 – 20, depending from claim 11, are also patentable over Molitor and Hepner. Accordingly, applicant respectfully requests that the Section 103(a) rejection of claims 11 – 20 as being unpatentable over Molitor in view of Hepner be withdrawn.

This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,

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